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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 RAFAEL MENDEZ-SOTO,

10 Petitioner,

11 vs.

12 JO GENTRY, et al.,

13 Respondents.
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Case No. 2:17-cv-02466-APG-CWH

ORDER

15 Petitioner has submitted an application to proceed *in forma pauperis* (ECF No. 1) and a
16 petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court dismisses this action
17 because petitioner did not include with his application to proceed *in forma pauperis* a financial
18 certificate signed by the appropriate prison official and a copy of his inmate account statement, as
19 required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. A preliminary review of the petition
20 shows that the dismissal of this action would not affect the timeliness of any subsequently
21 commenced action, if petitioner is prompt in obtaining the required documents and in commencing
22 a new action.

23 Reasonable jurists would not find this conclusion to be debatable or wrong, and the court
24 will not issue a certificate of appealability.

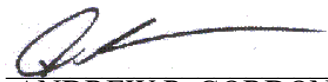
25 IT IS THEREFORE ORDERED that the application to proceed in forma pauperis (ECF No.
26 1) is **DENIED**.

27 IT IS FURTHER ORDERED that the clerk of the court shall send petitioner a blank form
28 for an application to proceed in forma pauperis for incarcerated litigants.

1 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to
2 petitioner's commencement of a new action in which he either pays the filing fee in full or submits
3 a complete application to proceed in forma pauperis, accompanied by a signed financial certificate
4 and a statement of his inmate account. The clerk of the court shall enter judgment accordingly and
5 close this action.

6 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

7 DATED: September 25, 2017.

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12 ANDREW P. GORDON
13 United States District Judge
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